

PROVISIONAL BALLOT

**Verification, counting, and notice provisions in
SDCL 12-20-2.1, 12-20-5.1, 12-20-13.1, 13.2, 13.3
and 13.4**

WHO MAY VOTE A PROVISIONAL BALLOT

Person who:

Is not on the registration list; and

Claims to be registered in that precinct;

and

**Is not eligible to vote a regular ballot using
an emergency voting card.**

Person who is successfully challenged.

**Person whose identity can't be proven by their
identification.**

PROCEDURE FOR VOTING A PROVISIONAL BALLOT

**Voter must complete affirmation on the blue
provisional ballot envelope.**

This is found in ARSD 5:02:05:22

Write voter's name in pollbook and designate as a provisional voter with a "P".

Provide the voter the correct ballot and stamp with official ballot stamp.

Voter votes the ballot and seals it in the provisional ballot envelope.

Envelope is placed in the ballot box.

**Give the voter a "Notice to Provisional Voter"
this is found in ARSD 5:02:05:23.**

PROVISIONAL BALLOT VERIFICATION

Provisional ballots ARE NOT opened or counted on election night.

Provisional ballot envelopes are to be returned to you unopened on election night. Keep them secure!

The next day you must determine if the voter was legally registered in that precinct by the voter registration deadline. Use the information provided by the voter on the affirmation.

If the voter was legally registered, the ballot must be counted. If not, the ballot remains sealed!

PROVISIONAL BALLOT COUNTING

If you determine that there are provisional ballots which must be counted, a provisional ballot counting board is appointed.

Provisional ballot counting board meets one hour prior to the official canvass.

The county auditor may establish an alternative time prior to the official canvass for provisional ballot counting provided that notice of the time and location is given to the county party chairperson of each political party.

Provisional ballot counting board shall count the provisional ballots which you have certified as countable. The board will complete the Certification of Provisional Ballot Count (5:02:17:13).

You will go back into the ST25 to add all votes from the Certification of Provisional Ballot Count and print your canvass sheet for your official canvass BEFORE proceeding with the county canvass process.

The instructions for this is in your ST25 manual under the canvass tab.

PROVISIONAL BALLOT NOTIFICATION

Within ten days after the official canvass, you must send each provisional voter a Notice of Provisional Ballot Determination.

This is found in ARSD 5:02:05:24